

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-CV-11897-WGY

\_\_\_\_\_  
MASSAMONT INSURANCE  
AGENCY, INC.,

Plaintiff,

UTICA MUTUAL  
INSURANCE COMPANY,

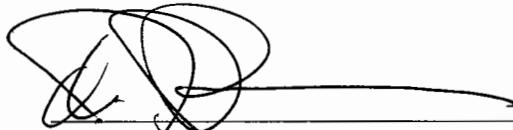
Defendant.  
\_\_\_\_\_

**NOTICE OF APPEAL**

The plaintiff, Massamont Insurance Agency, Inc., hereby appeals to the United States Court of Appeals for the First Circuit from (1) the ORDER of the United States District Court entered in the above-captioned action on September 15, 2006, denying plaintiff's Motion for Partial Summary Judgment, and allowing defendant, Utica Mutual Insurance Company's Motion for Summary Judgment; and (2) the JUDGMENT entered in favor of the defendant on September 15, 2006.

The plaintiff,  
MASSAMONT INSURANCE AGENCY, INC.,

By its attorneys,  
**PIERCE, DAVIS & PERRITANO, LLP**

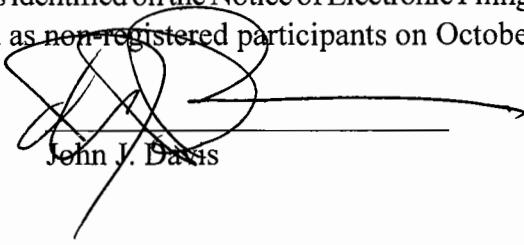


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Dated: October 13, 2006

CERTIFICATE OF SERVICE

I hereby certify that the foregoing, filed through the Electronic Case Filing System, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and that a paper copy shall be served upon those indicated as non-registered participants on October 13, 2006.



John J. Davis